

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 24, 2003

DIVISION ONE

B162910 Deborah G. (Not for Publication)
v.
Superior Court, Los Angeles County
(Department of Children & Family Services, r.p.i.)

Petition denied by opinion.

Spencer, P.J.

We concur: Ortega, J.
Mallano, J.

B157822 Los Angeles County, D.C.S. (Not for Publication)
v.
Patrick K.
In re Karissa K., a minor

The April 8, 2002 order is affirmed.

Mallano, J.

We concur: Spencer, P.J.
Ortega, J.

B149860 Richard A. Martinez, as Executor, etc. (Not for Publication)
v.
Frank J. Valdez Jr.

The judgment is affirmed. Respondent(s) to recover costs.

Mallano, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

January 24, 2003 (Continued)

DIVISION ONE (Continued)

B155926 John Lee (Not for Publication)
v.
Eung Kyun Ahn

The judgment is affirmed. Respondent(s) to recover costs.

Mallano, J.

We concur: Spencer, P.J.
Ortega, J.

B155698 Mary E. Pitchford (Not for Publication)
v.
Los Angeles Unified School District

The judgment is affirmed. Respondent(s) to recover costs.

Mallano, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

B157897 People (Not for Publication)
v.
Juan Garcia Cortez

The count 6 kidnapping conviction and count 7 assault conviction are reversed. The matter is remanded for a new trial on those counts and for resentencing. In all other respects, the judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.
Mallano, J.

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Joyce Hatter, Deputy Clerk.

DIVISION TWO Continued)

Each of the following:

B156906 People v. Vanderlinde
B157440 People v. Finch
B158469 DCFS v. Heidi H.
B157726 People v. Corado
B160206 DCFS v. Curtis P.
B155204 People v. McGuire

Argument waived, cause submitted.

B156104 Promet, Inc.
 v.
 Chadha, et al.

Merits:
Argued by Kenneth Weston for appellants and there being no appearance
by respondent. Cause submitted.

B155518 Olson
 v.
 Cohen, et al.

Merits:
Argued by Robert Hirsh for appellant and by Stuart Leviton for
respondents. Cause submitted.

B156375 Shure, et al.
 v.
 Fox, et al.

Merits:
Argued by Sassoon Sales for appellants and by Howard Fields for
respondents. Cause submitted.

DIVISION TWO (Continued)

B157294 Los Angeles County, D.C.S.
v.
Diana R.

Merits:
Argued by Doraine Meyer, Deputy County Counsel for respondent and by Kenneth Nahigian for appellant. Cause submitted.

Court adjourned

B157116 Hausey (Not for Publication)
v.
California Commission on Teacher Credentialing

The judgment is affirmed.

Nott, Acting P.J.

We concur: Doi Todd, J.
Ashmann-Gerst, J.

B157619 People (Not for Publication)
v.
Barber

The condition of probation in the judgment is modified to provide that appellant is to stay away from places known to him to be where users, buyers or sellers of drugs congregate. In all other respects, the judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

DIVISION TWO (Continued)

B152878 People (Not for Publication)
v.
Cliett

The superior court is ordered to correct the abstract of judgment to reflect an award of 788 days of presentence credits to appellant and to forward the corrected abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Nott, Acting P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

B156101 People (Not for Publication)
v.
Banks

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

B156724 People v. Dixon (Not for Publication)

The judgment is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

January 24, 2003 (Continued)

DIVISION TWO (Continued)

B151441 People (Not for Publication)
v.
Tasin and Zavala

Appellant Juan Antonio Zavala is awarded one additional day of presentence credit, for a total of 734 days instead of 733. The judgment is affirmed as corrected. The judgment as to Tasin is affirmed.

Doi Todd, J.

We concur: Nott, Acting P.J.
 Ashmann-Gerst, J.

DIVISION THREE

B150926 People (Not for Publication)
v.
Michael Eugene Green

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B158944 Los Angeles County, D.C.S. (Not for Publication)
v.
Sheila S. and Marrion B.

The orders denying mother and father's petitions for modification are affirmed. The order terminating parental rights is reversed and the matter is remanded to the juvenile court for compliance with the notice requirements of the Indian Child Welfare Act. If no tribe declares Marrion an Indian child after proper notice has been given, the juvenile court shall reinstate the order terminating parental rights.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B150963 Robinson Helicopter Company, Inc. (Certified for Publication)
v.
Dana Corporation, etc.

The judgment is reversed in so far as it awards compensatory and punitive damages for intentional and negligent misrepresentation or fraudulent concealment; in all other respects it is affirmed. Each party shall bear its own costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

B147571 Tower Acton Holdings and Sierra Highway Partners
v.
Los Angeles County Waterworks District No. 37

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR

B158301 People (Not for Publication)
v.
Falconer

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B156794 People (Not for Publication)
v.
Martinez

The judgment is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
Hastings, J.

DIVISION EIGHT

B154239 Eastwood
 v.
 Caterpillar Paving Products, Inc.

Filed order vacating submission order of November 22, 2002. Additional briefing is ordered and the matter will stand resubmitted upon the filing of the last supplemental brief.